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RUTAN & TUCKER, LLP.  
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In re Application of  
Braunstein et al.  
Application No. 10/705,193  
Filed: November 10, 2003  
Attorney Docket No. 026515-0004P

DECISION ON PETITION  
TO WITHDRAW  
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed on October 30, 2009.

The request is **NOT APPROVED**.

A review of the file record indicates that Runtan & Tucker, LLP was not properly appointed power of attorney in this patent application. The Power of Attorney filed on December 21, 2007, cannot be accepted since it was signed by the assignee of record and did not include a Statement Under 3.73(b). Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

Further, the Request for Withdrawal as Attorney or Agent and Change of Correspondence Address submitted herein cannot be approved since the Office no longer accepts address changes to a new practitioner or law firm filed with requests under 37 C.F.R. § 1.36(b).

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71*, or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

*An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.*

The application is currently abandoned for failure to respond to the Office action mailed May 26, 2009.

Petitioner should note that requests filed prior to the expiration date of a time period for reply or the expiration date of a time period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a), the Office will review the Request and render a decision, even if the decision on the Request is decided after the stated period for reply, after the application is abandoned, or after

proceedings have terminated. In contrast, the Office will not decide on requests to withdraw from representation as practitioner of record which are filed after the expiration date of a time period for reply or the expiration date of a time period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). These Requests will be placed in the application but will not be treated on their merits.

All future communications from the Office will be directed to above-listed address until otherwise properly notified by the applicant or a proper change of correspondence address have been submitted.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

  
Alicia Kelley  
Petitions Examiner  
Office of Petitions